

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
TISI et al.

Serial No. 10/541,364

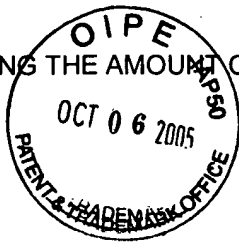
Filed: July 6, 2005

For: METHOD FOR DETERMINING THE AMOUNT OF TEMPLATE NUCLEIC ACID PRESENT IN A
SAMPLE

Attention: Application Branch
Atty. Dkt. 292-97

Date: October 6, 2005

1635
PCT
1006 Rec'd PCT/PTO v 6 OCT 2005



Mail Stop Missing Parts

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The attached completes filing of the above-identified patent application:

- ☐ Correspondence Address Indication Form Attached.
- ☒ **SIGNED RULE 63 DECLARATION ALONE**, ☐ Copy of Declaration from prior application alone, OR
- ☐ Signed Declaration plus attached copy of originally filed specification/drawings.
- ☐ NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED form.
- ☐ Record the attached assignment to _____ and return to the undersigned.
- ☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:
- | Application Number | Country | Day/Month/Year Filed |
|--------------------|----------------|----------------------|
| 0300802.6 | United Kingdom | 14 January 2003 |
| PCT/GB2004/000127 | | 14 January 2004 |

respectively.

- ☐ Certified copy(ies) of foreign application(s) is/are attached.
- ☒ Certified copy(ies) in prior application no. PCT/GB2004/000127, filed 14 January 2004.
- ☒ Applicant claims "small entity" status. ☐ "Small entity" statement attached.
- ☒ Also attached: ☒ **Information Disclosure Statement, Form PTO-1449 and References**

Fees due are calculated below:

| | | |
|---|---|---------------------------------|
| | Filed BEFORE 12/8/04 = \$790.00 (1001)/\$395.00 (2001) | |
| Basic filing fee | Filed ON OR AFTER 12/8/04 \$300.00 (1011)/\$150.00 (2011) | \$ |
| Search Fee | \$500.00 (1111)/\$250.00 (2111) | \$ |
| Examination Fee | \$200.00 (1311)/\$100.00 (2311) | \$ |
| Application Size Fee for each add'l 50 sheets that exceeds 100 sheets | | |
| Total pages: 0-100 = 0.00 | 0 | \$0.00 (1081)/ \$0.00 (2081) \$ |
| Total effective claims 37 - 20 (at least 20) = | x \$50.00 = \$0.00 (1202)/\$0.00 (2202) | \$ |
| Independent claims 1 - 3 (at least 3) = 0 | x \$200.00 = \$0.00 (1201)/\$0.00 (2201) | \$ |
| If any proper multiple dependent claims now added for first time (ignore improper), add | | |
| | \$360.00 (1203)/\$180.00 (2203) | \$ |
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) | | |
| | One Month Extension \$120.00 (1251)/\$60.00 (2251) | |
| | Two Month Extensions \$450.00 (1252)/\$225.00 (2252) | |
| | Three Month Extensions \$1020.00 (1253)/\$510.00 (2253) | |
| | Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) | |
| | Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) | \$ |
| Surcharge if Declaration or filing fee first now submitted: | \$130.00 (1051)/\$65.00 (2051) | \$ |
| English translation of specification and claims | \$130.00 (1053) | \$ |
| Assignment Recording Fee | \$40.00 (8021) | \$ |
| | TOTAL FEE DUE | \$ 0.00 |

☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
GRT:ap

NIXON & VANDERHYTE P.C.
By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: _____

[Handwritten Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

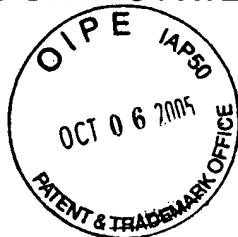
In re Patent Application of

TISI et al.

Appln. No. 10/541,364

Filed: July 6, 2005

FOR: METHOD FOR DETERMINING THE AMOUNT OF TEMPLATE NUCLEIC ACID
PRESENT IN A SAMPLE



Confirmation No. 1155

Atty. Ref.: 292-97

T. C. / Art Unit: 1635

Examiner: Not Known

* * * * *

SUBMISSION OF RULE 63 DECLARATION

October 6, 2005

U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Rule 63 Declaration. Entry and consideration of this Rule 63 Declaration is respectfully requested.

Applicants earnestly solicit an early and favorable examination on the merits. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

Gary R. Tanigawa
Reg. No. 43,180

901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100